

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

AERO MERIDIAN ASSOCIATES DP,
d/b/a MORTON PLAZA, et al.

Plaintiffs,

v.

THE CITY OF DENISON, TEXAS, et al.

Defendants.

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CASE NO. 4:06cv457

**MEMORANDUM ADOPTING REPORT AND
RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the United States Magistrate Judge pursuant to 28 U.S.C. § 636. On September 13, 2007, the report of the Magistrate Judge was entered containing proposed findings of fact and recommendations that Plaintiff Aero Meridian's Motion for Partial Summary Judgment on Liability (Dkt. 14) be DENIED.

The Court, having made a *de novo* review of the objections raised by Plaintiff Aero Meridian, is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and the objections of the Plaintiff are without merit. Therefore, the court hereby adopts the findings and conclusions of the Magistrate Judge as the findings and conclusions of this court.

It is, therefore, **ORDERED** that Plaintiff's Motion for Partial Summary Judgment on Liability (Dkt. 14) is **DENIED**.

SO ORDERED.

SIGNED this 28th day of September, 2007.

A handwritten signature in black ink, reading "Michael H. Schneider", written over a horizontal line.

MICHAEL H. SCHNEIDER
UNITED STATES DISTRICT JUDGE